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H-A

Section #

PATENT  
ATTORNEY DOCKET NO.: 044481-5058

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
 )  
Bing-Yan ZHU et al. )  
 )  
Application No.: 09/773,374 ) Group Art Unit: 1614  
 )  
Filed: February 1, 2001 ) Examiner: Unassigned  
 )  
For: 2-[1H]-QUINOLONE AND 2-[1H]- )  
QUINOXALONE INHIBITORS OF )  
FACTOR Xa )

Director of the U.S. Patent and Trademark Office  
**BOX MISSING PARTS**  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

1. This replies to the Notice to File Missing Parts of Nonprovisional Application mailed March 8, 2001.

A copy of the Notice To File Missing Parts Of Nonprovisional Application is enclosed.

2. Declaration Or Oath

☒ No declaration or oath was filed. Enclosed is the original Combined Declaration and Power of Attorney

☐ The specification attached to the declaration is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.

☐ The declaration or oath which was filed was determined to be defective. A new original Combined Declaration and Power of Attorney is attached.

3. English Translation of Non-English Language Papers

☐ Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.

Also enclosed is the Verification of Translation Document

## 4. Small Entity Statement(s)

☒ Applicants claim small entity status as provided under 37 C.F.R. §§ 1.9 and 1.27.

## 5. Fee Calculation

			Basic Fee: Patent Application-\$710.00 Design Application-\$320.00	\$ 710.00
	Number Filed	Number Extra	at a Rate of	
Total Claims	60 - 20 =	40	\$18.00 each=	+ 720.00
Independent Claims	6 - 3 =	3	\$80.00 each=	+ 240.00
Multiple dependent claim(s), if any			\$270.00	+ 270.00
Missing Parts Surcharge Fee			\$130.00	+ 130.00
<b>SUB-TOTAL =</b>				2,070.00
Reduction by ½ for filing by a small entity				- \$ 1,035.00
<b>SUB-TOTAL =</b>				1,035.00
Fee For Application Filed With A Non-English Specification (37 CFR 1.17(k) and 1.52(d))			\$130.00	+ 0
Fee For Processing and retention of application (37 CFR 1.21(l) and 1.53(d))			\$130.00	+ 0
<b>TOTAL FILING FEE =</b>				<b>\$ 1,035.00</b>

## 6. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

☐ Applicant petitions for an extension of time, the fees for which are set out in 37 CFR 1.17(a)-(d), for the total number of months checked below:

<u>Total months requested</u>	<u>Fee for extension</u>	<u>[fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 390.00	\$195.00
<input type="checkbox"/> three months	\$ 890.00	\$445.00
<input type="checkbox"/> four months	\$1,390.00	\$695.00

Extension of time fee due with this request: \$0

If an additional extension of time is required, please consider this a Petition therefor.

☒ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

7. Fee Payment

The total fee due is:	Filing Fee	<u>\$1,940.00</u>
	Missing Parts Fee	<u>\$ 130.00</u>
	Total Fee Due	<u>\$2,070.00</u>
	Less ½ for Small Entity	<u>\$1,035.00</u>
	<b>Total Fee Due</b>	<b><u>\$1,035.00</u></b>

☒ Please charge the total fee due of **\$1,035.00** to Deposit Account No. 50-0310.

**EXCEPT** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0310.

8. Additional papers enclosed.
- ☐ Preliminary Amendment
  - ☐ Information Disclosure Statement
  - ☐ Form PTO-1449
  - ☐ Citations
  - ☐ Declaration of Biological Deposit
  - ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**



Christine S. Lee

Reg. No. 42,788

Date: May 8, 2001

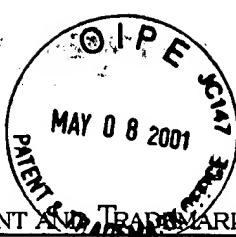
**CUSTOMER NO. 009629**

**MORGAN, LEWIS & BOCKIUS LLP**

1800 M Street, N.W.

Washington, D.C. 20036

(202) 467-7000



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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/773,374	02/01/2001	Bing-Yan Zhu	044481-5058

009629  
MORGAN, LEWIS & BOCKIUS  
1800 M STREET NW  
WASHINGTON, DC 200365869

CONFIRMATION NO. 4008

## FORMALITIES LETTER



\*OC000000005840754\*

Date Mailed: 03/08/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$615.
  - \$360 for 40 total claims over 20.
  - \$120 for 3 independent claims over 3.
  - \$135 for multiple dependent claim surcharge.
- The oath or declaration is missing.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1035.

*A copy of this notice **MUST** be returned with the reply.*

*DN*  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

05/10/2001	MBERHE	00000004	500310	09773374
01	FC:201	355.00	CH	
02	FC:205	65.00	CH	
03	FC:203	360.00	CH	
04	FC:202	120.00	CH	
05	FC:204	135.00	CH	

PART 2 - COPY TO BE RETURNED WITH RESPONSE